



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



Meeting Date: October 19, 2015

Reference Name	Garrett Ridge Multi-Family Phase 3 (A1500006)		Review Jurisdiction	City
Applicant	Horvath Associates, P.A.			
Proposed Future Land Use Map Amendment	From: Medium Density Residential (6-12 DU/Ac.) To: Medium-High Density Residential (8-20 DU Ac.)			
Site Characteristics	Tier:	Suburban		
	Present Use:	Multi-family residential, single-family residential, vacant		
	Size of Future Land Use Amendment:	12.5 acres		
	Size of Zoning Map Change:	13.0 acres		
Location	4806-5010 Garrett Road, west of Old Chapel Hill Road			
Overlay District(s)	None			
PIN(s)	0800-04-81-1612, 0800-04-81-3613, 0800-04-81-3306, 0800-04-80-4975			
Recommendation	Staff	Approval, based on conditions warranting an amendment to the Future Land Use Map and the proposed land use pattern meeting the four criteria for plan amendments.		
	Planning Commission	Approval, August 11, 2015, 14-0, based on information provided in the staff report, the justification, information heard at the public hearing, and meeting the criteria for plan amendments.		

A. Summary

The applicant, Horvath Associates, P.A., proposes a change to the Future Land Use Map from medium density residential (8-12 DU/Ac.) to medium-high density residential (8-20 DU Ac.). The site is located at 4806-5010 Garrett Road, and is comprised of four parcels that are currently vacant, single-family residential, and multi-family residential. The associated zoning case is Z1500013.

B. Site History

There have been a number of land use changes associated with this project site. In order of occurrence, in 2001 (case P01-35) established the RS-M(D) designation on 5010 Garrett Road which allowed for 96 residential units. In 2007, RS-M(D) was established at 4904 Garrett Road (case Z06-43) which allowed for 36 units. These two projects were proposed to be combined to allow cross access with the zoning map change request, case Z1400022, approved by Council on August 3, 2015.

C. Existing Site Characteristics

The site consists of four parcels, totaling 12.5 acres, with mature hardwoods and pines ranging from 8 to 42 inches in caliper. The southern-most parcel is occupied by an existing apartment complex with 96 dwelling units in 10 buildings, on approximately 6.5 acres. Parcels north of the apartments, and included within the proposal, are vacant and single-family residential, respectively.

D. Applicant's Plan Amendment Justification

The applicant states that the requested medium-high density residential designation is consistent with the *Durham Comprehensive Plan* and would provide an orderly transition between low-medium density residential south of the site and office/commercial designations north of the site. The applicant further states that the approximately 13 acre site is of adequate shape and size to accommodate the proposed future land use designation.

Staff concurs that the proposed designation, medium-high density residential, is compatible with the land use pattern pertaining in the vicinity of the site. Staff also agrees that the proposed designation represents an orderly transition between lower density residential and non-residential uses.

E. Criteria for Plan Amendments

The Unified Development Ordinance (UDO) contains criteria for the Planning Commission to use in considering proposals to amend the *Durham Comprehensive Plan*. (See Section 3.4.7, Criteria for Planning Commission Recommendations). The proposed plan amendment has been evaluated against these criteria.

- A. Whether the proposed change would be consistent with the intent, goals, objectives, policies, guiding principles and program of any adopted plans;
- B. Whether the proposed change would be compatible with the existing land use pattern and/or designated future land uses;
- C. Whether the proposed change would create substantial adverse impact in the adjacent area or in the City or County in general; and

- D. Whether the subject site is of adequate shape and size to accommodate the proposed change.

1. Consistency with Adopted Plans and Policies

The *Durham Comprehensive Plan* is a policy document intended to guide growth and development in an organized and efficient manner. The Plan addresses a range of topics related to land use, housing, community character, environment and conservation, transportation, and more. Evaluating the proposed Plan Amendment for consistency with these relevant policies is crucial in determining if changing the Future Land Use Map is appropriate.

Table 1: Relevant *Comprehensive Plan* Objectives and Policies

Policy 2.2.2a. Suburban Tie Development Focus. *Through the Future Land Use Map, ensure that the Suburban Tier has sufficient land to accommodate anticipated population growth and its attendant demands for housing, employment, and goods and services, including opportunities for affordable housing and recreation.*

Policy 2.3.1a. Contiguous Development. *Support orderly development patterns that take advantage of existing urban services, and avoid, insofar as possible, patterns of leapfrog, noncontiguous, scattered development.*

This proposal would allow expansion of an existing multi-family residential complex, consistent with *Comprehensive Plan* policies 2.2.2a, 2.3.1a, and 2.3.4.a.

Staff Conclusion: The proposed plan amendment is consistent with adopted plans and policies, thus meeting criterion 3.4.7A.

2. Compatibility with Existing Development and Future Land Use Patterns

The site is within the Suburban Tier, and is located south of Durham-Chapel Hill Boulevard, north of University Drive, east of Southwest Durham Drive, and west of Garrett Road. A portion of the site is occupied by an existing apartment complex. The *Future Land Use Map* designates the site Medium-Density Residential (6-12 DU/Ac).

Existing Uses: The site of the proposed plan amendment is bordered on the north by an office/institutional use, to the west by vacant land (floodplain), to the south by floodplain, and to the east a place of worship, multi-family residential, and single-family residential.

Future Land Use Designations: Land to the north of the proposed plan amendment is designated Office, lands west and south of the site are designated Recreation/Open Space, and land to the east is designated Medium-Density Residential (6-12 DU/Ac.).

Table 2: Area Land Uses and Designations		
	Existing Uses	Future Land Use Designations
North	Institutional	Office
East	Place of worship, multi-family residential, single-family residential	Medium-Density Residential (6-12 DU/Ac)
South	Floodplain and single-family residential	Recreation/Open Space
West	Vacant (Floodplain)	Recreation/Open Space

Analysis: Amending the future land use designation of the site, from Medium Density Residential (6-12 DU/Ac.) to Medium-High Density Residential (8-20 DU Ac.) would be consistent with the existing use on a portion of the site and would be compatible with existing land uses along this portion of Garrett Road and would be compatible with surrounding FLUM designations. Therefore, the proposal promotes an orderly development pattern.

Staff Conclusion: The proposed plan amendment is compatible with the existing land use pattern and designated future land uses in the area and, therefore, meets criterion 3.4.7B.

3. Adverse Impacts

Infrastructure:

A theme found throughout the *Durham Comprehensive Plan* is ensuring that the pace of urbanized growth does not exceed the ability to provide essential services (*Objective 2.3.2, Infrastructure Capacity*). Toward that end, *Policy 2.3.2a., Infrastructure Capacity*, directs the City-County Planning Department to consider impacts to the capacity of existing infrastructure when evaluating changes to the Future Land Use Map and Zoning Atlas.

Analysis: The site could accommodate the proposed use. Existing infrastructure, such as road, water, and sewer capacity, is sufficient to accommodate potential impacts. Further detail is provided in the zoning map change report.

Future Demand for Land Uses:

Durham Comprehensive Plan Policy 2.5.2e., Demand for Land Uses, states that in evaluating Plan Amendments, the Governing Boards and the City-County Planning Department shall consider the projected need for the requested land use in the future.

Staff estimates that the FLUM can accommodate approximately 99,000 medium-density residential units and approximately 29,000 medium-high density units. Overall, staff projects a demand for approximately 40,000 additional residential units

by 2045. Therefore, the proposed amendment would have a negligible effect on projected demand for residential land.

Staff Conclusion: The proposed amendment would have negligible effect on projected demand for residential or commercial land and, therefore, meets criterion 3.4.7C.

4. Adequate Shape and Size

The area requested for amendment is approximately 0.4 acres in total, and is of sufficient shape and size for commercial development in the Urban Tier.

Staff Conclusion: The site is of adequate shape and size to accommodate the use pursuant to the proposed change and, therefore, meets criterion 3.4.7D.

F. Notification

Staff certifies that notification, including newspaper advertisements and letters to property owners within 1,000 feet of the site, has been carried out in accordance with Section 3.2.5 of the UDO. The following neighborhood organizations were mailed notices:

- Durham Justice and Fairness Inter-Neighborhood Association
- Hopewell Neighborhood
- Inter-Neighborhood Council
- Jordan Lake Resources Management
- Keep Durham Beautiful
- New Hope Advisory Committee
- North Garrett Road Committee
- Partners Against Crime – District 3
- People's Alliance
- Trenton Homeowners Association

G. Staff Contacts

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H. Attachments

Attachment A, Proposed Change
Attachment B, Area Context Map
Attachment C, Aerial Map
Attachment D, Applicant's Justification Statement
Attachment E, Planning Commission Comments
Attachment F, Resolution